

**U.S. District Court
District of Maryland (Baltimore)
CIVIL DOCKET FOR CASE #: 1:20-cv-00702-GLR**

Capella Photonics, Inc. v. Ciena Corporation
Assigned to: Judge George Levi Russell, III
Cause: 28:1338 Patent Infringement

Date Filed: 03/17/2020
Date Terminated: 12/01/2020
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

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V.

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Date Filed	#	Docket Text
03/17/2020	<u>1</u>	COMPLAINT for Patent Infringement against Ciena Corporation (Filing fee \$ 400 receipt number 0416-8573627.), filed by Capella Photonics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons)(Zimmitti, Andrew) (Entered: 03/17/2020)
03/17/2020	<u>1</u>	Deficiency Notice for Capella Photonics, Inc. --- Your Local Rule 103.3 disclosure statement has not been filed. The Statement must be filed by 3/24/2020 (ols, Deputy Clerk) (Entered: 03/17/2020)
03/17/2020	<u>1</u>	Deficiency Notice for Capella Photonics, Inc. --- Report on Filing Patent/Trademark form (AO 120) has not been filed. The form is located at http://www.mdd.uscourts.gov/publications/DisplayForms.asp?ActiveTab=Civil . Please <u>fully complete</u> and file the form by selecting Civil > Other Filings > Other Documents > Report on Filing Patent/Trademark. The form must be filed by 3/24/2020 (ols, Deputy Clerk) (Entered: 03/17/2020)
03/17/2020	<u>2</u>	Summons Issued 21 days as to Ciena Corporation. (ols, Deputy Clerk) (Entered: 03/17/2020)
03/18/2020	<u>3</u>	MOTION to Appear Pro Hac Vice for Robert D. Becker (Filing fee \$100, receipt number 0416-8576820.) by Capella Photonics, Inc.(Zimmitti, Andrew) (Entered: 03/18/2020)

03/18/2020	<u>4</u>	MOTION to Appear Pro Hac Vice for Christopher L. Wanger (Filing fee \$100, receipt number 0416-8576831.) by Capella Photonics, Inc.(Zimmitti, Andrew) (Entered: 03/18/2020)
03/20/2020	<u>5</u>	PAPERLESS ORDER granting <u>3</u> Motion to Appear Pro Hac Vice on behalf of Robert D Becker. Directing attorney Robert D Becker to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/20/2020. (srds, Deputy Clerk) (Entered: 03/20/2020)
03/20/2020	<u>6</u>	PAPERLESS ORDER granting <u>4</u> Motion to Appear Pro Hac Vice on behalf of Christopher L Wanger. Directing attorney Christopher L Wanger to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/20/2020. (srds, Deputy Clerk) (Entered: 03/20/2020)
03/24/2020	<u>7</u>	(FILED IN ERROR) Local Rule 103.3 Disclosure Statement by Capella Photonics, Inc. identifying Other Affiliate Singtel Innov8 Ventures Pte. Ltd. for Capella Photonics, Inc..(Zimmitti, Andrew) Modified on 3/25/2020 (bmhs, Deputy Clerk). (Entered: 03/24/2020)
03/24/2020	<u>8</u>	Report on Filing Patent/Trademark (Zimmitti, Andrew) (Entered: 03/24/2020)
03/25/2020	<u>9</u>	QC NOTICE: <u>7</u> Local Rule 103.3 Disclosure Statement filed by Capella Photonics, Inc. was filed incorrectly. <i>**The Local Rule 103.3 Disclosure Statement needs to be refiled and all corporate parent and/or affiliations named in your document need to be entered when the system prompts you. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (bmhs, Deputy Clerk) (Entered: 03/25/2020)
03/25/2020	<u>10</u>	(FILED IN ERROR) Local Rule 103.3 Disclosure Statement by Capella Photonics, Inc. identifying Other Affiliate Singtel Innov8 Ventures Pte. Ltd. for Capella Photonics, Inc..(Zimmitti, Andrew) Modified on 3/26/2020 (bmhs, Deputy Clerk). (Entered: 03/25/2020)
03/26/2020	<u>11</u>	QC NOTICE: <u>10</u> Local Rule 103.3 Disclosure Statement filed by Capella Photonics, Inc. was filed incorrectly. <i>**The Local Rule 103.3 Disclosure Statement needs to be refiled. ALL corporate parent and/or affiliations named in your document need to be entered when the system prompts you. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (bmhs, Deputy Clerk) (Entered: 03/26/2020)
03/26/2020	<u>12</u>	Local Rule 103.3 Disclosure Statement by Capella Photonics, Inc. identifying Other Affiliate Fortress Investment Group LLC, Other Affiliate Singtel Innov8 Ventures Pte. Ltd., Other Affiliate Levensohn Venture Partners, Other Affiliate Black Diamond Ventures, LLC, Other Affiliate Manatt, Phelps & Phillips, LLP for Capella Photonics, Inc..(Zimmitti, Andrew) (Entered: 03/26/2020)
04/06/2020	<u>13</u>	(FILED IN ERROR) AFFIDAVIT of Service for Summons and Complaint served on Ciena Corporation on 4/1/20, filed by Capella Photonics, Inc. (Zimmitti, Andrew) Modified on 4/7/2020 (bmhs, Deputy Clerk). (Entered: 04/06/2020)
04/07/2020	<u>14</u>	QC NOTICE: <u>13</u> Affidavit of Service filed by Capella Photonics, Inc. was filed incorrectly. <i>**Incorrect event was selected. Please refile using the event under Service of Process: Summons Returned Executed. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (bmhs, Deputy Clerk) (Entered: 04/07/2020)
04/07/2020	<u>15</u>	SUMMONS Returned Executed by Capella Photonics, Inc.. Ciena Corporation served on 4/1/2020, answer due 4/22/2020.(Zimmitti, Andrew) (Entered: 04/07/2020)
04/17/2020	<u>16</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by Ciena Corporation (Attachments: # <u>1</u> Text of Proposed Order)(Moore, Matthew) (Entered: 04/17/2020)

04/17/2020	<u>17</u>	Local Rule 103.3 Disclosure Statement by Ciena Corporation identifying Other Affiliate BlackRock, Inc. for Ciena Corporation.(Moore, Matthew) (Entered: 04/17/2020)
04/20/2020	<u>18</u>	ORDER GRANTING <u>16</u> Motion for Extension of Time to Answer re <u>1</u> Complaint. Ciena Corporation answer due 6/8/2020. Signed by Judge George Levi Russell, III on 4/20/2020. (hmls, Deputy Clerk) (Entered: 04/20/2020)
06/08/2020	<u>19</u>	MOTION to Appear Pro Hac Vice for Clement Naples (Filing fee \$100, receipt number 0416-8690163.) by Ciena Corporation(Moore, Matthew) (Entered: 06/08/2020)
06/08/2020	<u>20</u>	MOTION to Appear Pro Hac Vice for Ashley Finger (Filing fee \$100, receipt number 0416-8690164.) by Ciena Corporation(Moore, Matthew) (Entered: 06/08/2020)
06/08/2020	<u>21</u>	MOTION to Appear Pro Hac Vice for Kyle A. Virgien (Filing fee \$100, receipt number 0416-8690165.) by Ciena Corporation(Moore, Matthew) (Entered: 06/08/2020)
06/08/2020	<u>22</u>	MOTION to Dismiss for Failure to State a Claim(<i>Partial</i>) by Ciena Corporation (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Matthew J. Moore, # <u>3</u> Index of Exhibits, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22, # <u>26</u> Exhibit 23, # <u>27</u> Exhibit 24, # <u>28</u> Exhibit 25, # <u>29</u> Exhibit 26, # <u>30</u> Exhibit 27, # <u>31</u> Exhibit 28, # <u>32</u> Text of Proposed Order)(Moore, Matthew) (Entered: 06/08/2020)
06/11/2020	<u>23</u>	PAPERLESS ORDER granting <u>19</u> Motion to Appear Pro Hac Vice on behalf of Clement Naples. Directing attorney Clement Naples to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/11/2020. (srds, Deputy Clerk) (Entered: 06/11/2020)
06/11/2020	<u>24</u>	PAPERLESS ORDER granting <u>20</u> Motion to Appear Pro Hac Vice on behalf of Ashley Finger. Directing attorney Ashley Finger to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/11/2020. (srds, Deputy Clerk) (Entered: 06/11/2020)
06/11/2020	<u>25</u>	PAPERLESS ORDER granting <u>21</u> Motion to Appear Pro Hac Vice on behalf of Kyle Virgien. Directing attorney Kyle Virgien to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/11/2020. (srds, Deputy Clerk) (Entered: 06/11/2020)
06/11/2020	<u>26</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>22</u> MOTION to Dismiss for Failure to State a Claim(<i>Partial</i>) by Capella Photonics, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Zimmitti, Andrew) (Entered: 06/11/2020)
07/06/2020	<u>27</u>	RESPONSE in Opposition re <u>22</u> MOTION to Dismiss for Failure to State a Claim(<i>Partial</i>) filed by Capella Photonics, Inc..(Becker, Robert) (Entered: 07/06/2020)
08/03/2020	<u>28</u>	REPLY to Response to Motion re <u>22</u> MOTION to Dismiss for Failure to State a Claim(<i>Partial</i>) filed by Ciena Corporation.(Moore, Matthew) (Entered: 08/03/2020)
09/01/2020	<u>29</u>	NOTICE by Ciena Corporation of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Moore, Matthew) (Entered: 09/01/2020)
10/06/2020	<u>30</u>	MOTION to Transfer Case by Ciena Corporation (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Declaration of David Rothenstein)(Moore, Matthew) (Entered: 10/06/2020)

10/20/2020	<u>31</u>	MOTION for Discovery -- <i>Plaintiffs Opposed and Expedited Motion for an Order Allowing it to Serve and Conduct Targeted Discovery on the Issues Raised by Defendants Transfer Motion and</i> , MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION to Transfer Case <i>Pending Completion of the Discovery</i> by Capella Photonics, Inc. (Attachments: # <u>1</u> Declaration of Christopher L. Wanger in support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E)(Becker, Robert) (Entered: 10/20/2020)
10/20/2020	<u>32</u>	RESPONSE in Opposition re <u>30</u> MOTION to Transfer Case filed by Capella Photonics, Inc.. (Attachments: # <u>1</u> Declaration of Christopher L. Wanger in support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Becker, Robert) (Entered: 10/20/2020)
10/23/2020	<u>33</u>	RESPONSE re <u>29</u> Notice (Other) -- <i>to Defendants Notice of Supplemental Authority</i> filed by Capella Photonics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Becker, Robert) (Entered: 10/23/2020)
11/03/2020	<u>34</u>	REPLY to Response to Motion re <u>30</u> MOTION to Transfer Case filed by Ciena Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Moore, Matthew) (Entered: 11/03/2020)
11/03/2020	<u>35</u>	RESPONSE to Motion re <u>31</u> MOTION for Discovery -- <i>Plaintiffs Opposed and Expedited Motion for an Order Allowing it to Serve and Conduct Targeted Discovery on the Issues Raised by Defendants Transfer Motion and</i> MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION to Transfer Case <i>Pending Completion of the Discovery</i> filed by Ciena Corporation.(Moore, Matthew) (Entered: 11/03/2020)
11/16/2020	<u>36</u>	REPLY to Response to Motion re <u>31</u> MOTION for Discovery -- <i>Plaintiffs Opposed and Expedited Motion for an Order Allowing it to Serve and Conduct Targeted Discovery on the Issues Raised by Defendants Transfer Motion and</i> MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION to Transfer Case <i>Pending Completion of the Discovery</i> filed by Capella Photonics, Inc..(Becker, Robert) (Entered: 11/16/2020)
11/24/2020	<u>37</u>	NOTICE by Capella Photonics, Inc. <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(Becker, Robert) (Entered: 11/24/2020)
12/01/2020	<u>38</u>	MEMORANDUM OPINION. Signed by Judge George Levi Russell, III on 12/1/2020. (bmhs, Deputy Clerk) (Entered: 12/01/2020)
12/01/2020	<u>39</u>	ORDER granting <u>30</u> Defendant Ciena Corporation's Motion to Transfer; granting nunc pro tunc <u>26</u> Plaintiff Capella Photonics, Inc.'s Consent Motion for Extension of Time; denying <u>31</u> Capella's Opposed and Expedited Motion for an Order Allowing It to Serve and Conduct Targeted Discovery on the Issues Raised by Defendant's Transfer Motion; and for an Extension of Time to Respond to the Transfer Motion Pending Completion of the Discovery; and directing the Clerk to Transfer this case to the United States District Court for the Northern District of California. Signed by Judge George Levi Russell, III on 12/1/2020. (bmhs, Deputy Clerk) (Entered: 12/01/2020)